

## Chapter 19.54 FA-2.5, FA-5, FA-10 AND FA-20 FOOTHILL AGRICULTURE ZONES

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### 19.54.010 Purpose of provisions.

The purpose of the foothill agricultural zones is to permit the development of the foothill areas of the county for rural residential, limited agricultural, limited animals and other specified uses, to the extent such development is compatible with the natural environment of these areas, particularly the natural slopes, vegetation, and fragile soils. (Ord. 1417 § 6 (part), 1998)

### 19.54.020 Permitted uses.

The following uses are permitted in the FA zones subject to meeting all applicable requirements set forth in this chapter and ordinance relating to site and lot dimensions, development standards, and other regulations.

- A. Accessory uses and structures customarily incident to a permitted use;
- B. Agriculture, as defined in Section 19.04.020 of this title;
- C. Animals and fowl for family food production, as defined in Section 19.04.235; household pets; a maximum of four horses for private use only;
- D. Home business, subject to Chapter 19.85;
- E. Home day care/preschool for six or fewer children subject to the conditions set forth in Section 19.04.293;
- F. Residential facility for persons with a disability, provided that each such facility shall not be located within one-half mile of a similarly-licensed residential facility for persons with a disability;
- G. Single-family dwelling;
- H. Wireless telecommunication facilities, provided:
  - 1. The wireless telecommunication facility is a wall-mounted or roof-mounted facility, and
  - 2. The facility is mounted on a nonresidential building, and
  - 3. A computer-generated visual simulation of the proposed structure is submitted as part of the required site plan, and

4. All other applicable requirements set forth in Chapter 19.83, “Wireless Telecommunications Facilities,” are satisfied. (Ord. 1535 § 4 (part), 2004; Ord. 1452 § 13, 1999; Ord. 1417 § 6 (part), 1998)

#### 19.54.030 Conditional uses.

The following conditional uses are subject to the requirements of this chapter and subject to the conditions, criteria, and approval procedures set forth in Chapter 19.84, “Conditional Uses.”

A. Accessory uses and structures customarily incidental to a conditional use;

B. Bed and breakfast homestay, provided:

1. The access to the site and the on-site parking are available for use and maintained, including snow removal, throughout the entire year, and

2. An approved drinking water supply and wastewater disposal system is available that is capable of supporting the use throughout the entire year, and is approved by the health department prior to issuance of a license;

C. Home day care/preschool, for no fewer than seven nor more than twelve children, subject to the conditions set forth in Section 19.04.293;

D. Pigeons, subject to health department health regulations;

E. Planned unit development subject to the conditions and requirements set forth in Chapter 19.78, “Planned Unit Developments”;

F. Private nonprofit recreational grounds and facilities;

G. Public and quasi-public use;

H. Residential facility for elderly persons;

I. Temporary buildings for uses incidental to construction work, which building must be removed upon the completion or abandonment of the construction work. If such buildings are not removed within ninety days upon completion of construction work and thirty days after notice, the building will be removed by the county at the expense of the owner;

J. Wireless telecommunication facilities, as that term and all related terms are defined in Section 19.83.020, provided:

1. The wireless telecommunication facility is either a wall-mounted, roof-mounted, or monopole facility. Facilities located on lattice towers are prohibited, and

2. Any grading for the facility, including access roads and trenching for utilities, shall comply with the Uniform Building Code, and

3. The facility complies with the requirements for development set forth in the foothills and canyons overlay zone, Chapter 19.72, including development standards for grading, wildlife habitat protection, tree and vegetation protection, natural hazards, and utilities, and standards for establishing limits of disturbance, and

4. Site placement and facility color shall be carefully considered to blend in with the natural surroundings, and

5. Continuous outside lighting is prohibited unless required by the FAA for monopole facilities, and

6. The maximum height for monopole facilities shall be sixty feet, and

7. A computer-generated visual simulation of the proposed structure is submitted as part of the required site plan and shall show all structures including but not limited to monopoles, antennas, and equipment buildings, and

8. All other applicable requirements set forth in Chapter 19.83, “Wireless Telecommunications Facilities,” are satisfied. (Ord. 1535 § 5 (part), 2004; Ord. 1473 (part), 2001; Ord. 1417 § 6 (part), 1998)

#### 19.54.040 Lot area, lot width, density, and slope regulations.

A. Lot Width, Lot Area, and Density Requirements. In the foothill agricultural zones, the minimum lot area may include private rights-of-way, except that the area in the right-of-way shall not exceed twenty-

five percent of the minimum lot area:

<b>District</b>	<b>Minimum Lot Width</b>	<b>Minimum Lot Area</b>	<b>Maximum Residential Density (dwelling units per gross area)</b>
FA-2.5	250 feet	2.5 acres	1 d.u. per 2.5 gross acres
FA-5	300 feet	5 acres	1 d.u. per 5 gross acres
FA-10	300 feet	10 acres	1 d.u. per 10 gross acres
FA-20	300 feet	20 acres	1 d.u. per 20 gross acres

B. Measurement of Lot Width. The minimum lot width of any lot shall be measured at a distance of fifty feet from the front lot line.

C. Slope Requirements. All development in the FA zones shall be subject to the slope protection standards set forth in the foothills and canyons overlay zone, Section 19.72.030B, "Slope Protection Standards" and Section 19.72.030D, "Streets/Roads and General Site Access." (Ord. 1473 (part), 2001: Ord. 1417 § 6 (part), 1998)

19.54.050 Limits of disturbance/setbacks.

Because of the unique nature of the soils and topography in the foothill areas, limits of disturbance and setbacks for permitted uses including single-family dwellings and accessory structures in the FA zones shall be determined on a case-by-case basis by the development services director. Limits of disturbance and setbacks for conditional uses shall be as approved by the planning commission upon the recommendation of the development services director (see Chapter 19.72). All determinations of limits of disturbance shall be subject to the conditions and criteria set forth in the foothills and canyons overlay zone, Section 19.72.040, "Establishment of limits of disturbance." (Ord. 1417 § 6 (part), 1998)

19.54.060 Building height.

A. Except as otherwise specifically provided in this title, no building or structure shall exceed the following heights:

1. Thirty feet on property where the original slope exceeds fifteen percent or the property is located in the foothills and canyons overlay zone. For purposes of this section, the slope shall be determined using a line drawn from the highest point of elevation to the lowest point of elevation on the perimeter of a box which encircles the foundation line of the building or structure. The box shall extend for a distance of fifteen feet or to the property line, whichever is less, around the foundation line of the building or structure. The elevation shall be determined using a certified topographic survey with a maximum contour interval of two feet.
2. Thirty-five feet on all other properties.
3. No dwelling structure shall contain less than one story.

B. Accessory Buildings.

1. No building which is accessory to a single-family dwelling shall exceed twenty feet in height. For each foot of height over fourteen feet, accessory buildings shall be set back from property lines an additional foot to allow a maximum height of twenty feet. (Ord. 1509 § 10, 2003; Ord. 1417 § 6 (part), 1998)

19.54.070 Natural hazards.

Construction of permanent structures in the FA zones in areas subject to natural hazards, including floods, landslides, unstable soils, and avalanches, shall be subject to the requirements and limitations set forth in Chapter 19.74, "Floodplain Hazard Regulations," and Chapter 19.75, "Natural Hazard

Areas.” (Ord. 1417 § 6 (part), 1998)

#### 19.54.080 Soils reports.

Because of the fragile nature of the soils in some areas of the foothills within the FA zones, the development services director or planning commission may require the applicant to submit a soils report prepared by a qualified soils engineer to verify the suitability of soils for the intended use. If the property is subject to the requirements set forth in Section 19.54.070 of this chapter, the soils report may be combined with any required natural hazards report. (Ord. 1417 § 6 (part), 1998)

#### 19.54.090 Grading.

To eliminate the possibility of erosion and unsightly scars on the foothill slopes, grading shall be permitted only in conformance with the standards and limitations set forth in the foothills and canyons overlay zone, Section 19.72.030C, “Grading Standards.” (Ord. 1417 § 6 (part), 1998)

#### 19.54.100 Tree and vegetation protection.

Removal of trees or natural vegetation shall not be permitted except in conformance with the standards and requirements set forth in the foothills and canyons overlay zone, Section 19.72.030H, “Tree and Vegetation Protection.” (Ord. 1417 § 6 (part), 1998)

#### 19.54.110 Maintenance of animals and fowl.

Animals and fowl shall be maintained in such a way to prevent dust, odors, loss of vegetation and loss of topsoil due to erosion. In some areas due to the fragile soils and sparse vegetative cover, the planning commission may require that all animals and fowl are kept in an enclosed area. At the time any building permit is applied for, the planning commission may designate the areas of the lot suitable for maintenance of animals and fowl. (Ord. 1417 § 6 (part), 1998)

#### 19.54.120 Utilities.

All utilities in the FA zones shall be placed underground, except as may be provided for in Chapter 19.79, “Utility and Facility System Placement Regulations.” (Ord. 1417 § 6 (part), 1998)

#### 19.54.130 Building location, construction and design.

All buildings and accessory structures in the FA zones, including single-family dwellings, shall be located, constructed, and designed in compliance with the development standards set forth in the foothills and canyons overlay zone, Section 19.72.030, “Development standards,” and in Chapter 19.73 of this title, “Foothills and Canyons Site Development and Design Standards.” (Ord. 1417 § 6 (part), 1998)

#### 19.54.140 Site development plan approval.

All development in the FA zone, including single-family dwellings, shall be approved prior to issuance of any building permits pursuant to the site development plan approval process and requirements set forth in the foothills and canyons overlay zone, Section 19.72.050, “Approval procedures for development in the foothills and canyons overlay zone.” (Ord. 1417 § 6 (part), 1998)

#### 19.54.150 Applicability to lots of record and waivers from slope requirements.

A. Applicable to Lots of Record. All standards and requirements for development in the FA zones as set forth in this chapter shall apply to development on lots and in subdivisions that were recorded prior to the enactment date of the ordinance codified in this chapter.

B. Lots of Record--Waivers from Slope Requirements. For properties in the FA zones also located in the foothills and canyons overlay zone (see Chapter 19.72), the planning commission may waive grade requirements for streets/roads and slope protection requirements for lots of record and lots and plans of

subdivisions that were approved prior to the enactment of Chapter 19.72, provided the conditions and criteria set forth in Section 19.72.060A are satisfied. (Ord. 1417 § 6 (part), 1998)